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JUL 18 2006

Serial No. 10/728,292  
60246-280; 10799REMARKS

Claim 12 is objected to as being dependent upon a rejected base claim, but the Examiner indicated that this claim would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Claim 12 has been rewritten in independent form to include the features of the base claim and any intervening claims.

Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 18 has been amended to depend on claim 16.

Claims 1, 15 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Lewis et al. Lewis does not disclose a vapor compression system including an auxiliary heater that selectively heats refrigerant or water. Lewis discloses an air conditioning apparatus including a heat transfer means 9 that conditions air with an indoor space 2 (column 4, lines 8 to 11). The heat transfer means 9 does not heat refrigerant or water as claimed, but conditions air. The claimed invention is not anticipated, and Applicant respectfully requests that the rejection be withdrawn.

Claims 1, 9-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleist in view of official notice. Kleist does not disclose a vapor compression system including an auxiliary heater that selectively heats refrigerant or water that accepts heat from the refrigerant in a heat rejecting heat exchanger. Kleist discloses a heat exchanger A for vaporizing liquid refrigerant. The heat exchanger A heats refrigerant to prevent heat loss and a drop in compressor 1 pressure (column 3, lines 10 to 15). Kleist does not disclose that the refrigerant exchanges heat with water in the condenser 3 as claimed. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kleist in view of official notice as applied to claim 1 above, and further in view of admitted prior art. Claim 14 depends on patentable independent claim 1 and is allowable for the reasons set forth above. The claimed invention is not obvious because Kleist does not disclose, suggest or teach disclose a vapor compression system including a vapor compression system including an auxiliary heater that selectively heats refrigerant or water that accepts heat from the refrigerant in the heat rejecting


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heat exchanger. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Thus claims 1, 9-15, 17 and 19-25 are in condition for allowance. The Commissioner is authorized to charge Deposit Account No. 03-0835, in the name of Carrier Corporation, \$250.00 for five additional dependent claims. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

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**CERTIFICATE OF FACSIMILE**

I hereby certify that this response is being facsimile transmitted to the United States Patent and Trademark Office, 571-273-8300 on July 18, 2006.

  
Amy M. Spaulding